

Fleming County Project Development Board
160 West Electric Avenue, Flemingsburg, KY 41041
Record of Regular Meeting, June 3, 2008, 5:00 pm Eastern

The meeting was called to order at 5:10 pm by Chairperson CJE Larry H. Foxworthy. Roll Call was completed as noted below:

Present: Garlan Vanhook, Honorable Larry H. Foxworthy, Pam Lowe, Marvin W. Suit, David DeAtley, Honorable Stockton B. Wood, Mayor Louie Flanery, J. Scott Brown, Honorable W. Todd Walton II (5:14 PM)

Absent: Michael Kier

Other Attendees: Sam Howard, Michael Carroll, John Estill and Keith Brock

Old Business: A motion was made to approve the minutes of April 15, 2008. Motion: Flanery. Seconded by Pam Lowe. All in favor.

Approval of Claims: A motion was made to approve the claims as presented. Motion by Suit. Second by DeAtley. All in favor.

Old Business: Board Members and Vanhook discussed land option agreements which have been signed by Community Trust Bank and Robert Reeder for new judicial center location. On June 3, 2008, Vanhook and Foxworthy met with owners of MacDonald, Walton and Razor to discuss land option agreement to purchase their properties on North Main Cross. Vanhook stated law office owners are interested in possibly leasing/acquiring the Dudley House for their business office upon execution of land option agreement. Vanhook stated once land acquisitions are completed, the Dudley House will be considered public property and Kentucky Revised Statutes must be followed in sale/lease of such properties. Lease option will be reviewed by AOC Legal Department, Bond Counsel Attorney and County Attorney before approval from Fiscal Court acting as Public Properties Corporation and Project Development Board. Brandstetter Carroll Architects and Vanhook reaffirmed to the board and public that the Dudley House would not be torn down and buffer will be designed between the judicial center and Dudley House. The current deed description of Dudley House may be revised upon completion of survey. Flanery stated previous meeting conversations with AOC regarding future of Dudley House's first right of refusal implied for him to discuss Dudley House with a potential buyer. Vanhook stated he would not have recommended disposing of public property without following Kentucky Revised Statutes. Board members discussed potential Dudley House's Lease conditions to include preserving the historical aspects, maintenance conditions, construction activities in area and terms of current lease with Chamber of Commerce. An amendment to a land option agreement is currently being drafted by the MacDonald, Walton, Razor law office for review/approval by the AOC Legal Department, Bond Counsel Attorney, County Attorney, Fiscal Court acting as Public Properties Corporation and Project Development Board.

Michael Carroll, Brandstetter Carroll Architects, stated survey preparation should begin this week. Completion of survey will allow direction of schematic planning to begin and they will present more information at next meeting.

Sam Howard, Trace Creek Construction, stated they are awaiting survey documentation at this time.

Keith Brock, Ross, Sinclair and Associates, informed the board that interim financing is in place for property acquisitions. Bonds sold to Chase Bank at 2.55% rate.

A motion was made to accept and proceed with property acquisition on Community Trust Bank and Robert Reeder properties, recommend purchase of properties to Fiscal Court for affirmation of approval and continue negotiations with MacDonald, Walton and Razor law office regarding land option purchase agreement of their properties including drafted amendment and/or lease option which must comply with Kentucky Revised Statutes. Motion by Suit. Seconded by Wood. Roll Call of Vote:

Judge Stockton Wood – Yea
Judge W. Todd Walton II – Abstain
Louie Flanery – Yea
Pam Lowe – Yea

David DeAtley – Yea
Marvin Suit – Yea
Larry H. Foxworthy – Abstain
J. Scott Brown – Yea

Motion carried.

New Business:

Attorney John Estill has prepared title opinions and state no significant problems were found. Estill suggested referring to County Administrative Code regarding compliance of potential lease agreement of Dudley House.

Disbursement of payment to property owners will be issued upon deed closings.

The Capital Project Tracking System was discussed and available for board members to access financial information regarding the judicial center project. Email addresses are needed to set up accounts upon request.

All future Project Development Board meetings will be held at the City Annex.

A motion was made to adjourn at 6:10 PM. Motion by Wood. Seconded by Flanery. All in favor.

The next Fleming County Project Development Board meeting is scheduled for Tuesday, July 1, 2008 in the City Annex Building at 5:00 PM.